THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION No.18635 OF 2005

Dated 02.11.2005

Between:

Korukonda Venkata Nagendra Bhupal S/o. K. Rama Rao
R/o. Srungavruksham, Thondangi Mandal, East Godavari Dist.

..... PETITIONER

AND

The Government of Andhra Pradesh Rep. by its Principle Secretary,
Endowments Department, Secretariat Hyderabad & others.

....RESPONDENTS

THE HON'BLE DR JUSTICE G.YETHIRAJULU

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ORDER:

The petitioner seeks to declare that the suspension order of the third respondent dated 28.08.2003 as illegal, arbitrary and unconstitutional.

The petitioner was kept under suspension through the impugned memo dated 28.08.2003 on account of ACB raid conducted on the petitioner after registering a crime. The grievance of the petitioner is that though two years period have elapsed, the third respondent did not revoke the suspension and it is being continued without considering the revocation of suspension. It is undisputed fact that the investigation in the above crime is in progress and the ACB police have to either file the charge sheet or pass final orders in the matter.

The learned counsel for the petitioner represented that a separate writ petition had been filed by the petitioner seeking to quash the crime registered against him at the instance of ACB police.

In the above circumstances, the prayer of the petitioner to declare the memo issued by the third respondent dated 28.08.2003 as illegal and arbitrary is devoid of merits. The writ petition is accordingly dismissed. Since the learned counsel for the petitioner represented that the petitioner is not being paid subsistence allowance during the period of suspension, the third respondent is directed to pass appropriate orders according to law regarding the payment of the subsistence allowance to the petitioner during the period of suspension including its enhancement. No order as to costs.

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02.11.2005

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